March 17, 2004

DATE (Month, Day, Year)

STATE OF TENNESSEE

Hamilton County

Hamilton County Board of Commissioners

RESOLUTION

No. 304-40

A RESOLUTION TO AMEND THE REGULATION KNOWN AS "THE HAMILTON COUNTY AIR POLLUTION CONTROL REGULATIONS" BY PROVIDING FOR THE ADOPTION OF NEW REGULATIONS GOVERNING GASOLINE DISPENSING FACILITIES.

WHEREAS, it is the declared public policy of this county to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, foster the comfort and convenience of the people; and,

WHEREAS, local regulation of air quality is the most efficient means toward that end; and,

WHEREAS, in order to achieve air quality levels under the 8-hour ozone early action compact with the United States Environmental Protection Agency;

NOW THEREFORE, BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:

That the Hamilton County Air Pollution Control Regulations, be amended as is hereinafter set forth.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

Hamilton County, Chattanooga, TN
A CERTIFIED TRUE COPY
This 24th day of March, 2004
W. F. (BILL) KNOWLES, County Clerk
By Debbie Rollins, Deputy Clerk

Approved: ☑ CERTIFICATION OF ACTION

Rejected: ☐

County Clerk

Approved: ☑

County Executive

Vetoed: ☐ March 17, 2004

Date

Printed on recycled paper.

SECTION 41

Rule 25.10. Gasoline dispensing facilities – stage I vapor recovery.

(1) For the purpose of this rule, the following definitions apply:

a. *Coaxial system* means the delivery of the product to the stationary storage tank and the recovery of vapors from the stationary storage tanks occurs through a single coaxial fill tube, which is a tube within a tube. Product is delivered through the inner tube, and vapor is recovered through the annular space between the walls of the inner tube and outer tube.

b. *Delivery vessel* means tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities.

c. *Dual point system* means the delivery of the product to the stationary storage tank and the recovery of vapors from the stationary storage tank occurs through two separate openings in the storage tank and two separate hoses between the tank truck and the stationary storage tank.

d. *Gasoline* means any petroleum distillate having a Reid vapor pressure of 4.0 psia or greater.

e. *Gasoline dispensing facility* means any site where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage tanks.

f. *Gasoline service station* means any gasoline dispensing facility where gasoline is sold to the motoring public from stationary storage tanks.

g. *Line* means any pipe suitable for transferring gasoline.

h. *Operator* means any person who leases, operates, controls, or supervises a facility at which gasoline is dispensed.

i. *Owner* means any person who has legal or equitable title to the gasoline storage tank at a facility.

j. *Poppeted vapor recovery adaptor* means a vapor recovery adaptor that automatically and immediately closes itself when the vapor return line is disconnected and maintains a tight seal when the vapor return line is not connected.

k. *Stationary storage tank* means a gasoline storage container that is a permanent fixture.

l. *Submerged fill pipe* means any fill pipe with a discharge opening which is entirely submerged when the pipe normally used to withdraw liquid from the tank can no longer withdraw any liquid, or which is entirely submerged when the level of the liquid is:

1. Six inches above the bottom of the tank if the tank does not have a vapor recovery adaptor; or

2. Twelve inches above the bottom of the tank if the tank has a vapor recovery adaptor.

If the opening of the submerged fill pipe is cut at a slant, the distance is measured from the top of the slanted cut to the bottom of the tank.

m. *Throughput* means the amount of gasoline dispensed at a facility.

(2) Applicability. This rule applies to all gasoline dispensing facilities and gasoline service stations and to delivery vessels delivering gasoline to a gasoline dispensing facility or gasoline service station; and this rule applies to all persons owning, occupying, operating or using a gasoline distribution facility or gasoline service station.

(3) Exemptions. This rule does not apply to:

a. Transfers made to storage tanks at gasoline dispensing facilities or gasoline service stations equipped with floating roofs or their equivalent;

b. Stationary tanks with a capacity of not more than 2,000 gallons which were in place before July 1, 1979, if the tanks are equipped with a permanent or portable submerged fill pipe;

c. Stationary storage tanks with a capacity of not more than 550 gallons which were installed after June 30, 1979, if the tanks are equipped with a permanent or portable submerged fill pipe;

d. Stationary storage tanks at a gasoline dispensing facility or gasoline service station where the combined annual throughput of gasoline at the facility or station does not exceed 50,000 gallons, if the tanks are equipped with a permanent submerged fill pipe; and

e. Any tanks used exclusively to test fuel dispensing meters.

(4) No person may cause, suffer, allow or permit the transfer of gasoline from any delivery vessel into any stationary storage tank unless they comply with the following:

a. The stationary storage tank is equipped with a submerged fill pipe and the vapors displaced from the tank during filling are controlled by a vapor control system as described in Paragraph (8) of this rule;

b. The vapor control system is in good working order and is connected and operating with a vapor tight connection;

c. The vapor control system is properly maintained and any damaged or malfunctioning components or elements of design have been repaired, replaced or modified;

d. Gauges, meters, or other specified testing devices are maintained in proper working order;

e. All loading lines and vapor lines of delivery vessels and vapor collection systems are equipped with fittings which are leak tight and vapor tight; and

f. All hatches on the delivery vessel are kept closed and securely fastened.

(5) The following records shall be maintained for not less than two years and the same shall be made available for inspection and copy by representative or designees of the Bureau:

a. The scheduled date for maintenance or the date that a malfunction was detected;

b. The date the maintenance was performed or the malfunction corrected; and

c. The date the component or element of design of the control system was repaired, replaced, or modified.

(6) The premises of any gasoline dispensing facility or gasoline service station shall be available for inspection by representatives or designees of the Bureau at any time the facility or station is in operation.

(7) The process of transfer of gasoline from any delivery vessel into any stationary storage tank shall be subject to observation and inspection or investigation by representatives or designees of the Bureau.

(8) The vapor control system required by Paragraph (4) of this rule shall include one or more of the following:

a. A vapor-tight line from the stationary storage tank to the delivery vessel and:

1. For a coaxial vapor recovery system, either a poppeted or unpoppeted vapor recovery adaptor; or

2. For a dual point vapor recovery system, a poppeted vapor recovery adaptor; or

b. A refrigeration-condensation system or equivalent designed to recover at least 90 percent by weight of the organic compounds in the displaced vapor.

(9) If an unpoppeted vapor recovery adaptor is used pursuant to Part (8)a.1. of this rule, the tank liquid fill connection shall remain covered either with a vapor-tight cap or a vapor return line except when the vapor return line is being connected or disconnected.

(10) If an unpoppeted vapor recovery adaptor is used pursuant to Part (8)a.1. of this rule, the unpoppeted vapor recovery adaptor shall be replaced with a poppeted vapor recovery adaptor when the tank is replaced or upgraded.

(11) Where vapor lines from the storage tanks are manifolded, poppeted vapor recovery adapters shall be used. No more than one tank is to be loaded at a time if the manifold vapor lines have a nominal pipe size of less than 3 inches. If the manifold vapor lines have a nominal pipe size of 3 inches or larger, then two tanks at a time may be loaded.

(12) Vent lines on stationary storage tanks shall have pressure release valves or restrictors.

(13) The vapor-laden delivery vessel:

a. Shall be designed and maintained to be vapor-tight during loading and unloading operations and during transport with the exception of normal pressure/vacuum venting as required by regulations of the Department of Transportation; and

b. If it is refilled in Hamilton County, Tennessee, shall be refilled only at:

1. Bulk gasoline plants complying with Rule 25.8 of this section; or

2. Bulk gasoline terminals complying with Rule 25.9 of this section.

(14) It shall be the responsibility of owners, occupiers and operators of gasoline dispensing facilities and gasoline service stations to assure compliance with this rule and to disallow the transfer from any delivery vessel that does not comply with those requirements of this rule applicable to delivery vessels. It shall be the responsibility of owners, operators and drivers of delivery vessels to assure compliance with this rule and to refuse to transfer from any delivery vessel that does not comply with those requirements of this rule applicable to delivery vessels.

1ST READING 3-23-04

2ND READING _____

3RD READING _____

INDEX NO. _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 4, ARTICLE II, SECTION 4-41, RELATIVE TO AIR POLLUTION RULES, REGULATIONS, CRITERIA AND STANDARDS, BY ADDING RULE 25.10 RELATIVE TO GASOLINE DISPENSING FACILITIES.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 4, Article II, Section 4-41, be and is hereby amended by adding thereto the following:

Rule 25-10. Gasoline dispensing facilities - stage I vapor recovery.

(1) For the purpose of this rule, the following definitions will apply:

a. *Coaxial system* means the delivery of the product to the stationary storage tank and the recovery of vapors from the stationary storage tanks occurs through a single coaxial fill tube, which is a tube within a tube. Produce is delivered through the inner tube and vapor is recovered through the annular space between the walls of the inner tube and outer tube.

b. *Delivery vessel* means tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities.

c. *Dual point system* means the delivery of the product to the stationary storage tank and the recovery of vapors from the stationary storage tank occurs through two separate openings in the storage tank and two separate hoses between the tank truck and the stationary storage tank.

d. *Gasoline* means any petroleum distillate having a Reid vapor pressure of 4.0 psia or greater.

e. *Gasoline dispensing facility* means any site where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage tanks.

f. *Gasoline service station* means any gasoline dispensing facility where gasoline is sold to the motoring public from stationary storage tanks.